

THE CASTRO REGIME'S ONGOING  
VIOLATIONS OF CIVIL AND POLITICAL RIGHTS

**HON. CHRISTOPHER H. SMITH**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 18, 2016*

Mr. SMITH of New Jersey. Mr. Speaker, it has been one year and eight months since President Obama announced a major change in our country's policy towards Cuba.

It has been eleven months since Secretary Kerry visited Havana and reopened our embassy.

And it has been nearly four months since our President visited Cuba.

Clearly, a lot has changed in just over a year and a half.

But for the people of Cuba, what has changed?

At a hearing I convened last week, we examined the sorry state of civil and political rights in the Castro brothers' Cuba, and how, despite all the promises by this administration that an opening to Cuba will lead to a greater opening domestically for the Cuban people we still see political repression—including, it must be noted, repression directed at the Afro-Cuban population.

This is not the first time this subcommittee has expressed concern about the lack of openness to democracy and dissent in Cuba. In fact, one of our witnesses, the courageous Dr. Oscar Biscet, offered dramatic testimony before this subcommittee in February of 2012, when he testified via telephone from the U.S. Interests Section in Havana after evading the Cuban police to get there.

Likewise, on February 5, 2015 we held a hearing entitled "Human Rights in Cuba: An opportunity squandered," wherein we asked whether the Obama administration had used the considerable leverage that it wields to seek to better the condition of the Cuban people, or whether it was squandering the opportunity.

Since then, our fear that the administration has not been pushing sufficiently for the release of political prisoners and other human rights concerns has only grown, with the focus on Obama's "legacy" instead of the Cuban people.

For example, when President Obama made his visit to Cuba, he and Raul Castro appeared in a photo op press conference. CNN's Jim Acosta, much to his credit, asked the hard question about Cuba's political prisoners.

Raul Castro, much to his discredit, denied that there were ANY political prisoners in Cuba. "Give me a list of the political prisoners and I will release them immediately," Castro taunted. "Just mention the list."

And President Obama just stood there.

Well, Mr. President, I have a list, of more than fifty political prisoners compiled by my good friend and colleague ILEANA ROS-LEHTINEN.

This is a list that President Obama should have had in breast pocket, ready to pull out when Raul Castro dared him to call his bluff.

When I came to Congress in 1981, with Ronald Reagan, in the days of the old Soviet Union, one of the first issues I worked on was the plight of Soviet Jews and refuseniks who were either imprisoned or not allowed to leave the Soviet Union. I recall George Shultz, when

he was Secretary of State, saying that whenever he met with his Soviet counterpart, and from him down to the lowest State Department officer, he would bring with him a list of imprisoned dissidents and human rights advocates. Front and center of any discussion, whether about nuclear arms or tensions in the Middle East, Secretary Shultz would bring up dissidents, naming them by name. It was this constant focus on human rights that helped move the Soviet government to allow Jews and others to leave the Soviet Union, people such as the great Natan Sharansky.

And I have another list of names, that of six members of the Cuban National Front of Civic Resistance who have applied for visas to come to the United States but for some reason, inexplicably, our State Department has refused to allow to visit the United States. These are:

Orlando Gómez Echavarría  
Jose Alberto Alvarez Bravo  
Yaite Diasnell Cruz Sosa  
Yoel Bravo López  
Lázaro Ricardo Fiallo López  
Ciro Aleixis Casanova Pérez

I call upon Secretary Kerry to allow these brave people entry to the United States, so that they can meet with me and my colleagues and enlighten us further as to the current state of affairs in Cuba.

Finally, I note that the administration has failed to secure the release of fugitives from justice such as Joanne Chesimard, who is on the FBI's Most Wanted Terrorist list, convicted of killing New Jersey State Trooper Werner Foerster. The administration must insist upon the unconditional return of Chesimard and all other fugitives from justice, as well as demand that the Castro regime respect the civil and political rights of the Cuban people, before making any further concessions.

And to underscore the point, unconditional means unconditional—there should be no "swap" whereby we exchange convicted Cuban spies Ana Montes or Kendall Meyers for these fugitives as a concession to the Castro regime. The effect of that would be to trade Americans who have committed crimes in the United States for other Americans who have committed crimes in the United States, demoralizing our intelligence community further in the process.

With that, I want to turn to our witnesses, noting as I do that last week, on July 13, it was the anniversary of the tugboat massacre of 1994, when 37 victims, including 11 children, were killed by the regime. How little has changed for the Cuban people.

POEM BY ALBERT CAREY  
CASWELL IN HONOR OF ARNOLD  
SCHWARZENEGGER

**HON. JOSEPH CROWLEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 18, 2016*

Mr. CROWLEY. Mr. Speaker, I would like to submit the following poem written by Albert Carey Caswell in honor of Governor Arnold Schwarzenegger's upcoming 69th birthday.

69 REPS TO BE THE BEST

(By Albert Carey Caswell)

69 reps to be the best

Do we lead or do we rest?

Do we build on our success?

Do we fall or do we crest?

Do we follow or do we lead?

To give our world what she so needs

Do we live large not narrow?

Do we work out and do it now oh?

Do we crush it,

To find victory as such it

Only by living the golden rule,

Will we so shine like a jewel

Pumping up our world so full

Telling fear see you later

Why you could even be the governor

Scheduling doubt for termination

Eraser

Telling it to "get out"

Don't be afraid to fail

That's the only way victory to nail

To make dynamic gains

You must feel the burn, the pain

And what will we create,

With each new rep that we so take

For the greatness we so yearn

69 reps to be the best

You must give your heart and soul

To turn your dreams into gold

By stretching ourselves beyond belief,

For victory to achieve

As your dreams you seek

Saying "hasta la vista baby" to living meek

Leaving dynamic gains all in your wake

As quadzilla steps you take

All in what our heart's create

Don't be a girly man

Like a commando take a stand

69 reps to be the best

And what is the true measure of a man?

Who before us now so stands

For life is so very short

So then what is it that we all hope to sport?

All in the days of our lives report

And who do we lift up?

When in tough times never giving up?

To make our lives so buff

All in our reps of life's as such

Do we dare to push the envelope?

To make dynamic gains all in our approach

All in what our heart's invoke

For we only have so many rep's to our world  
bless

To be the best

We must be bold,

We must be strong

We must work hard all day and night long

If we wish to write our life's song

And as the years progress some of us shall  
not grow old

Men like arnold never do so

Whose heart's never run cold

With his heart of a child so yo

Who see's the good in all he beholds

Whose smile to all heart's call so

Who never stop's believing as new dreams he  
conceiving

For he knows not the word defeat even

And failure is not an option conceiving

All in his austrian-american heart which is  
beating

Is a heart of a child who against all odds is  
competing

As he let's his dreams run wild

With his greatest of all smiles and cham-  
pionship style

If you want to get to the mountain top?

There's only one way, straight up

69 rep's, but there's a lot more left

In this american hero to flex

Maybe, sixty-nine more?

"work out, do it now" "crush it" "get in the  
chopper"

69 rep's to be the best.

RECOGNIZING BEN SLADE

**HON. EARL L. "BUDDY" CARTER**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 18, 2016*

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Mr. Ben Slade and all of his accomplishments as Executive Director of the St. Simons Land Trust.

Over the last 11 years, the St. Simons Land Trust has worked to preserve land on St. Simons Island, Georgia, which is home to 12,000 residents as well as many marshes, creeks, rivers, and fish.

The Land Trust works with willing property owners to preserve the beautiful land of this region and its significance to Georgia's natural habitat.

Mr. Slade has worked with the St. Simons Land Trust since its inception, leading the company from a small group to an organization that now includes 1,250 member households and 776 acres of land. During his time with the organization, Mr. Slade's numerous accomplishments have been critical to the environmental success of the island.

One of his most important accomplishments was his leadership in the purchase of the 604 acre Cannon's Point area on St. Simons—the last intact maritime forest on the island.

Later this year, Mr. Slade will retire as the Executive Director of the St. Simons Land Trust. I rise today to recognize his effort and accomplishments in bettering the island of St. Simon and wish him the best with his future endeavors.

**HOPE DEFERRED: SECURING ENFORCEMENT OF THE GOLDMAN ACT TO RETURN ABDUCTED AMERICAN CHILDREN**

**HON. CHRISTOPHER H. SMITH**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 18, 2016*

Mr. SMITH of New Jersey. Mr. Speaker, I want to thank everyone, especially all of the left-behind parents, who attended a hearing I convened last week to discuss what the U.S. Department of State's second annual report under the Sean and David Goldman International Child Abduction Prevention and Return Act tells us about the Department's implementation of the Goldman Act thus far.

On a positive note, the numbers of new abductions from the United States in 2015 re-

mained below their pre-Goldman Act mark, probably due to increased abduction prevention.

According to the report, 600 more children were abducted to other countries last year, quickly replacing the 299 children, abducted in various years, who were returned. Overall, approximately 1,000 children remain in a foreign country, separated from their American parent.

As many of you have experienced, international parental child abduction rips children from their homes and whisks them away to a foreign land, alienating them from the love and care of the parent and family left behind.

Child abduction is child abuse, and it continues to plague families across the United States.

For decades, the State Department has used "quiet diplomacy" to attempt to bring these children home. In a hearing I held on this issue back in 2009, then-Assistant Secretary of State Bernie Aronson called quiet diplomacy "a sophisticated form of begging." Thousands of American families still ruptured and grieving from years of unresolved abductions confirm that quiet diplomacy is gravely inadequate.

In 2014, Congress unanimously passed the Goldman Act to give teeth to requests for return and access. The actions against non-cooperating governments required by the law escalate in severity, and range from official protests through diplomatic channels to the suspension of development, security, or other foreign assistance. Extradition of abducting parents also may be the case.

The Goldman Act is a law calculated to get results, as we did in the return of Sean Goldman from Brazil in 2008.

This year's report, as required by the Goldman Act, singles out 19 countries in total, including India, Brazil, Japan, and Tunisia for failures to work with the United States in the return of abducted American children.

For instance, the report notes 83 abductions to India still open at the end of the year—with 25 of those being new in 2015. Only one was closed with a court-ordered return to the United States. These numbers will continue to climb each year until India creates a mechanism for resolution. Right now India is a magnet for abductions because taking parents are almost guaranteed to get away with their crime.

Brazil had 17 abduction cases open at the end of 2015 with a 27 percent resolution rate. Brazil has been a Convention partner with the United States since 2003, and yet consistently fails to comply with the Convention. Devon Davenport, who has testified before this Subcommittee, has won every one of his 24 ap-

peals in Brazil's Courts over the last 7 years—and yet he still cannot get his daughter Nadia home.

If there was ever a textbook case for sanctions, Brazil is it—they have met the legal threshold 10 times over.

The Report lists Japan as a "country that has failed to comply with one or more of its Hague Convention obligations", specifically "in the area of enforcement of return orders." Multiple parents have won pyrrhic victories in court, only to discover Japan has what the report calls "systemic flaws" with enforcement.

What remains inexplicable is why Japan was kept off the list of non-compliant countries for a second year in a row when even the State Department condemned them for "systemic flaws" in their ability to enforce court orders to return U.S. children. Failure to enforce return orders is an automatic trigger for landing on the non-compliant list.

One parent had to go outside the Convention framework to achieve enforcement in an extraordinary case resolved after the reporting period.

The report should have also counted against Japan the 40 pre-Convention abduction cases it mentions as still pending—most of them for more than 5 years.

Countries should be listed as worst offenders if they have high numbers of cases—30 percent or more—that have been pending more than a year. Countries also may be so listed if their law enforcement, judiciary, or central authority for abduction regularly fails in their duties under The Hague Convention or other controlling agreement; or if the country simply fails to work with the U.S. to resolve cases.

Accurate reporting, including inclusion on the worst offenders list, is critical to family court judges across the country and parents considering their child's travel to a foreign country where abduction or access problems are a risk.

However, reporting is just step one. Once these countries are properly classified, the Secretary of State then determines which of the aforementioned actions the U.S. will apply to the country in order to encourage the timely resolution of cases.

Such actions could bring an end to the nightmare of the Elias family, whose children, Jade and Michael, have been missing in Japan for 8 years.

Such actions could end the nightmares of any of the parents who shared their stories at last week's hearing.